REMARKS

The following response is respectfully submitted in response to the Office Action mailed July 8, 2002. A three-month extension petition is enclosed. A Notification of Error in Payment of Fees as a Small Entity under 37 C.F.R. § 1.28 is also enclosed.

With the present amendment, Applicants have added new claims 6-15. Thus, claims 1-15 are now pending in the present application.

In the Office Action, the Examiner has rejected claims 1-5 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,141,007 to *Lebling et al.* Applicants respectfully traverse this rejection.

Independent claim 1 of the present application recites a mouse driven splitter program including means for splitting a display window by dragging a mouse from one point in the display to another point in the display and means responsive to this mouse dragging to form a separate display window on at least one side of a line defined by the mouse dragging. Independent claim 2 of the present application also recites a mouse driven splitter program wherein the mouse is used to define two points, which are then used to form a separate display window on at least one side of the line formed by the two points.

In rejecting claims 1 and 2, the Examiner stated:

> As to claims 1 and 2, Lebling et al discloses means for splitting a display window by dragging a mouse from one point on the display to another point in the display and means responsive to said mouse dragging wherein said display divides and forms a separate display window on at least one side of a line defined by said mouse dragging; means for splitting a display window by defining with a mouse two points in said display, said two points defining a line (figure 5A, column 5, lines 30-50). (Office Action, pages 2 and 3).

Lebling et al, however, does not disclose "means for splitting a display window" as recited in the rejected claims. The passages cited by the Examiner from Lebling et al. actually disclose repositioning the border of an already-established window by dragging and dropping the border from an initial location to a new location. This clearly differs from the methods of claims 1 and 2 of the present application. Moreover, as stated in Lebling et al., "the splitter bars of [Lebling et al.'s] invention operate in the same way as conventional windows-based applications," Lebling et al., col. 6, lines 38-40. Lebling et al. does not disclose creating a new pane (i.e., "splitting a display window") by a dragging the border of an existing pane. Accordingly, withdrawal of the rejection of claims 1 and 2 is respectfully requested.

The Examiner has rejected claim 3 under 35 U.S.C. §102(b) as anticipated by Lebling et al., stating that Lebling et al.:

> also discloses receiving a set of coordinates relative to said display window from a user, said coordinates defining a line (column 12, lines 10-

6

19 and lines 46-59); and dividing said display
window into a plurality of panes, said panes
defined by said line and said frame borders
(figures 3A-5B), column 6, line 60 through column
7, line 5. (Office Action, page 3).

However, the passages in column 12 cited by the Examiner

do not relate to splitting or dividing the display window, but

instead concern the cutting and pasting of machine codes into

the *contents* of panes. Also, Figures 3A-5B of *Lebling et al.*

only illustrate the resizing of existing window panes, not the

creation of new panes. Column 6, line 60 through column 7,

line 5 of *Lebling et al.*, also cited by the Examiner, does not

relate to dividing a display window. Rather, this passage

concerns a type of "directory panel" used in *Lebling et al.*

The Examiner has rejected dependent claims 4 and 5 under

35 U.S.C. § 102(b) as anticipated by *Lebling et al.* Both these

claims depend from claim 3 and are therefore directed to the

splitting of an existing display window. With reference to

claim 4, the Examiner cites figure 5A *of Lebling et al.* as

teaching that "the line intersects opposing borders of said

display window." The line referred to in claim 4, however is a

line at which a new window splitter will be placed, thereby

creating one or more new panes on either side of the line. The

line referred to in Figure 5A of *Lebling et al.*, however, is a

line defining an existing window splitter between panes.

As to claim 5, the Examiner cites *Lebling et al.* as

teaching that "the coordinates are provided by a user via a

pointing device (column 4, lines 26-55)." This passage, however, refers to the user selecting a menu item from a directory menu and has no relationship to defining a line for dividing an existing window pane into two or more panes.

Thus, it is respectfully submitted that *Lebling et al.* does not anticipate (or render obvious) claims 1-5 or new claims 6-15. Thus, it is respectfully requested that the Examiner withdraw all rejections.
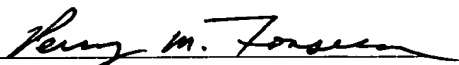
As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: January 6, 2003   Respectfully submitted,

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